

BEFORE: Joseph F. Bianco U.S.D.J
DATE: 4/8/2009 TIME: 11:00 a.m. TIME IN COURT: 1hour
DOCKET #: 08cr364
CAPTION: USA v. Friere

CRIMINAL CAUSE FOR SENTENCING

APPEARANCES:

Defense Counsel: Peter W. Till Defendant: Wilson Freire Deft #1
X Present Not Present X Present Not Present
CJA X Retained Federal Defenders X On Bond In Custody

Government: Elizabeth Aloiz; Jessica Covell Court Reporter: Mary Ann Steiger

COURTROOM DEPUTY: Mary Ryan Interpreter: _____

X Case called.
X Counsel for parties present.
Fatico Hearing held:
X Sentencing held.
X Statements of defendant and counsel heard.

IMPRISONMENT:

X The defendant is sentenced to: 366 days on Count 1 and 366 days on Count 2
to run concurrently

X To be followed by 1 year of supervised release on Count 1 and
3 years supervised release on Count 2 to run concurrently.

X Special conditions of supervised release are as follows:

1. If deported, the defendant shall not re-enter the United States illegally.
2. The defendant shall participate in a mental health treatment program as approved by the Probation Department. The defendant shall contribute to the cost of such services rendered and/or and any psychotropic medications prescribed to the degree he is reasonable able, and shall cooperate in securing any applicable third-party payment. The defendant shall disclose all financial information and documents to the Probation Department to assess his ability to pay.

As a special condition of supervised release if the defendant leaves the country either voluntarily or involuntarily and reenters illegally he/she will be deemed a violator thereof.

The defendant is remanded to the custody of the US Marshal.

X The defendant shall voluntarily surrender on 8/7/2009 to the designated facility

X The court makes the following recommendation to the Bureau of Prisons: _____
The defendant be incarcerated at FCI Otisville.

PROBATION:

____ The defendant is sentenced to: years pobation.

____ Special conditions of probation: _____

____ During the term of probation the court will not consider any travel request except for work or family emergencies.

FINE, RESTITUTION & SPECIAL ASSESSMENT:

____ The defendant is ordered to pay a fine in the sum of: \$ _____

____ The fine is payable: _____

X The fine is waived based on the defendant's inability to pay.

X Restitution is ordered: \$20,750.00 due immediately and payable at a rate of 25% of net disposable income per month while on supervised release.

X Special assessment in imposed in the sum of: \$200.00.

____ Counts _____ are dismissed on the motion of the Government.

X The defendant is advised of his right to appeal.